



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,761	11/06/2006	Kris Vandermeulen	31118/DY0402	9126
4743 7590 09/23/2010 MARSHALL, GERSTEIN & BORUN LLP 233 SOUTH WACKER DRIVE 6300 WILLIS TOWER CHICAGO, IL 60606-6357			EXAMINER FERGUSON SAMRETH, MARISSA LIANA	
			ART UNIT 2854	PAPER NUMBER
			MAIL DATE 09/23/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/593,761

Applicant(s)

VANDERMEULEN, KRIS

Examiner

MARISSA L. FERGUSON-SAMRETH

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/16/10 has been entered.

Claim Rejections - 35 USC § 103

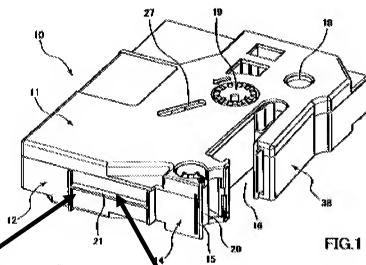
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huss al. (US Patent 6,520,696) in view of Iwane et al. (US Patent 5,645,360) and Palmer et al. (US Patent 6,152,623).

With respect to claim 25, Huss et al. teaches a body (10) having a base (25), a top (11), and sides (24 and side opposite of side 24) extending from the base to the top, the body housing a roll of print receiving medium (13, 23) having an axis of rotation extending in a first direction from the base to the top (Figure 2), the body having a guide member (21,22) on each of two opposing sides extending along said sides in a second

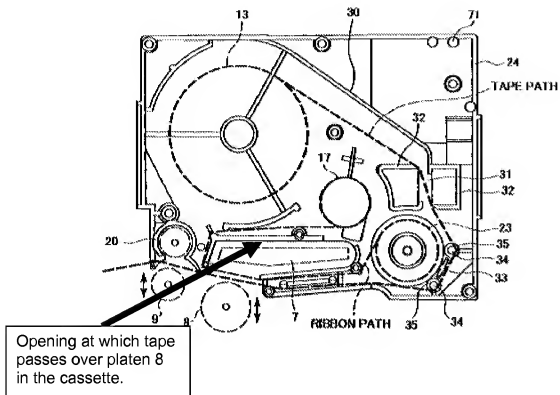
direction perpendicular to the first direction (Figure 1) for guiding the tape cassette into a tape printer (Abstract) in the second direction and locating the tape cassette in the tape printer (Column 1, Lines 7-13), wherein each guide member extends outwardly from its respective side (Figures 1 and 3) and comprises a first elongate member disposed in a plane perpendicular to a plane of its respective side and a second elongate member disposed in a plane parallel to the plane of the respective side (refer to figure 1 in the detailed action) and wherein one of said sides of said cassette other than said opposing sides includes an opening (16, refer to figure 6 in the detailed action).



1st elongate member disposed in a plane perpendicular to the opposing sides.

2nd elongate member disposed in plane parallel to the opposing sides.

FIG. 6



However, Huss is silent with respect to wherein one of said sides of said cassette other than said opposing sides includes an opening at which tape passes over a platen in the cassette, each guide member extending from an end of its respective side opposite said side including the opening.

Iwane et al. teaches a cassette (7) wherein one of said sides of said cassette other than said opposing sides includes an opening (58) at which tape passes over a platen (60) in the cassette (Column 4, Lines 66-67 and Figure 7). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Iwane et al. to include a platen in the cassette as taught

by Iwane et al. for the purpose of providing excellent contact with the thermal head thereby obtaining high printing quality.

Iwane et al. is silent with respect to each guide member extending from an end of its respective side opposite said side including the opening. Palmer et al. teaches a tape cassette body (20) having a guide members (38) on each of two opposing sides extending from an end of its respective side opposite said side including the opening (Figure 17).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the cassette taught by Iwane et al. to include additional guide members extending from an end as taught by Palmer et al. for the purpose of securely retaining the cassette in a tape printer thereby preventing unnecessary movement.

With regard to claim 29, Palmer et al. teaches wherein each guide member has a substantially T-shaped cross section (refer to figure 17 of the detailed action).

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA L. FERGUSON-SAMRETH whose telephone number is (571)272-2163. The examiner can normally be reached on (Monday-Thursdays) 8:30am-2:30pm and 5:30pm-8:30pm and (Fridays) 8:30am-12:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MARISSA FERGUSON-SAMRETH/
Examiner, Art Unit 2854

/Ren L Yan/

Primary Examiner, Art Unit 2854